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**MAR 09 2004**

In re Application of  
Burke et al.  
Application No. 09/267,176  
Filed: March 12, 1999  
Attorney Docket No. 32277.0200

**OFFICE OF PETITIONS**  
ON PETITION

This decision concerns the February 23, 2004 petition under 37 CFR 1.137(b).

The petition is **GRANTED**.

On February 6, 2003, a final Office action was mailed, setting forth a 3-month shortened statutory reply period. On May 9, 2003 (Certificate of Mailing date May 6, 2003), a response in the form of a Notice of Appeal was timely filed.


Applicants did not file an Appeal Brief on or before December 9, 2003, or obtain any extension of time under 37 CFR 1.136(a). Since no claims stood allowed under the February 6, 2003 final Office Action, the appeal was dismissed and the application became abandoned on July 10, 2003.

The instant petition encloses a request for continued examination (RCE); an amendment as the RCE "submission" required by 37 CFR 1.114; and an authorization to charge the \$385 RCE filing fee (small entity) and the \$665 petition fee (small entity) to Deposit Account No. 19-2814. The petition is thus granted.

The application is hereby revived for establishing continuity with the RCE.

The application file is being returned to Technology Center 3600 for continued examination.

Telephone inquiries should be directed to the undersigned at (703) 308-0763.

  
RC Tang  
Petitions Attorney  
Office of Petitions